

REMARKS

Amendments

Applicants have amended claims 17 and 24 to depend from claims 15 and 22, respectively. This corrects a typographical error and is supported in the specification at pg. 30-31, Example 4 and Fig. 6. Applicants also have amended claims 1, 8, 15 and 22 to state “A monoclonal antibody or an antigen-binding fragment thereof that specifically binds the capsular polysaccharide of *Streptococcus pneumoniae* serotype 3 . . .”, to address the Examiner’s rejections of the respective claims. Support for this amendment is found throughout the specification.

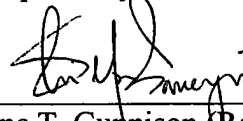
Response to the Office Action

Claims 1, 3, 8, 10, 15, 17, 22, 24 and 34-35 stand rejected as directed to non-statutory subject matter. Specifically, in the Examiner’s view, the claims are directed to “antibodies that have the same characteristics and utility as those found naturally. . . .” Office Action, pg. 3. The Examiner suggests amending the claims to recite “the essential purity of the claimed products.” Accordingly, applicants have amended claims 1, 8, 15 and 22 to clarify that the antibodies of the invention are monoclonal antibodies, i.e., a homogeneous antibody population. Claims 3, 10, 17, 24, 34 and 35 depend from amended claims 1, 8, 15 and 22 and therefore claim, similarly, monoclonal antibodies.

The amended claims thus are directed to statutory subject-matter. Applicants request withdrawal of the rejection and allowance of the claims.

Applicants request that the Examiner consider the foregoing amendments and remarks and allow this application to issue. A telephonic interview with applicants' representative is kindly requested if it would help the Examiner in placing the claims in condition for allowance.

Respectfully submitted,



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